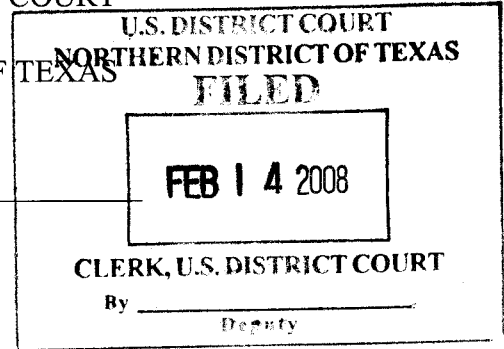


IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF TEXAS

AMARILLO DIVISION



CHRISTOPHER GUILBEAU, PRO SE,  
TDCJ-CID # 628074,  
Previous TDCJ-CID # 469634,

Plaintiff,

v.

2:07-CV-0144

TEXAS DEPARTMENT OF CRIMINAL  
JUSTICE,  
TEXAS TECH MEDICAL BRANCH,  
LUBBOCK,  
CHILDRESS REGIONAL MEDICAL  
CENTER,  
EDDIE WILLIAMS, BARRY L. MARTIN,  
CAROL ROTHWELL, MONTE FIELDS,  
JESSIE REYNOLDS, KENNETH WILKS,  
DONNIE GARDNER, KEVIN RICKS,  
KAREN JACKSON, ROY FISHER,  
CHERYL GARY, MICHAEL BRANIGAN,  
DORIS GARDNER, DENISE HASSEL, and  
NFN WESTMORELAND,

Defendants.

**ORDER OF PARTIAL DISMISSAL**

Plaintiff CHRISTOPHER GUILBEAU, while a prisoner incarcerated in the custody of the Texas Department of Criminal Justice, Correctional Institutions Division, has filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-named defendants and has been granted permission to proceed in forma pauperis.

On January 23, 2008, a Report and Recommendation was issued by the United States Magistrate Judge analyzing plaintiff's claims against defendants TEXAS DEPARTMENT OF

CRIMINAL JUSTICE; TEXAS TECH MEDICAL BRANCH, LUBBOCK; CHILDRESS REGIONAL MEDICAL CENTER; BARRY L. MARTIN; KENNETH WILKS; DONNIE GARDNER; KEVIN RICKS; KAREN JACKSON; ROY FISHER; CHERYL GARY; MICHAEL BRANIGAN; DENISE HASSEL, and NFN WESTMORELAND and recommending that plaintiff's claims against those defendants be DISMISSED WITH PREJUDICE AS FRIVOLOUS AND FOR FAILURE TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED.

The Report and Recommendation did not address plaintiff's claims against defendants EDDIE WILLIAMS, CAROL ROTHWELL, MONTE FIELDS, JESSIE REYNOLDS, and DORIS GARDNER.

The period for response has expired; and no objections have been filed by plaintiff.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation. The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

IT IS THEREFORE ORDERED that the Civil Rights Claims by plaintiff CHRISTOPHER GUILBEAU against defendants TEXAS DEPARTMENT OF CRIMINAL JUSTICE; TEXAS TECH MEDICAL BRANCH, LUBBOCK; CHILDRESS REGIONAL MEDICAL CENTER; BARRY L. MARTIN; KENNETH WILKS; DONNIE GARDNER; KEVIN RICKS; KAREN JACKSON; ROY FISHER; CHERYL GARY; MICHAEL BRANIGAN; DENISE HASSEL, and NFN

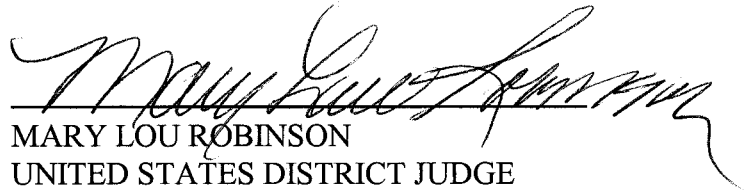
WESTMORELAND are DISMISSED WITH PREJUDICE AS FRIVOLOUS AND FOR FAILURE  
TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk shall send a copy of this Order to plaintiff and to any attorney of record.

IT IS SO ORDERED.

ENTERED this 14<sup>th</sup> day of February, 2008.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE